

compensation through this suit. Additionally, insofar as plaintiff has asked that if the Court allows the subject discovery, it be limited to records covering 2002-2004 only (comparable to the limitation which the Court imposed on discovery of jail records), that argument is unpersuasive. Finally, insofar as plaintiff has alleged that the discovery requested through these depositions and subpoenas of non-parties are burdensome, that is an argument which plaintiff does not have standing to assert. See 28 Federal Procedure L. Ed. § 65:271 (1996).

If plaintiff chooses to refile his motion and assert a privilege under the Family Educational Rights and Privacy Act of 1974, he is encouraged to address the specific issue of whether his claim of injury for which he seeks relief in this lawsuit constitutes a waiver of any privilege or right of privacy conferred by that statute.

It is so ORDERED.

SIGNED on June 29, 2006.



NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE